

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X	
DINOSAUR FINANCIAL GROUP LLC,	:
HILDENE CAPITAL MANAGEMENT, LLC and	:
SWISS LIFE INVESTMENT MANAGEMENT	:
HOLDING AG, on behalf of themselves and all	:
others similarly situated,	:
	:
Plaintiffs,	:
	:
-v-	:
	:
S&P GLOBAL, INC., AMERICAN BANKERS	:
ASSOCIATION, and FACTSET RESEARCH	:
SYSTEMS INC.,	:
	:
Defendants.	:
	:
-----X	

Case No. 1:22-CV-1860 (KPF)

Rule 502(d) Stipulation and Order

WHEREAS, the Parties desire to produce documents, including electronically stored information (“ESI”), which are or may be subject to claims of privilege or protection, including the attorney-client privilege, work-product doctrine, or other privileges or doctrines (“Protected Information”), solely for the purpose of resolving disputes as to any Party’s claim that documents constitute or include Protected Information (“Privilege Dispute”).

NOW, THEREFORE, it is stipulated and agreed subject to Court approval:

- (1) No Waiver By Disclosure: Pursuant to Rule 502(d) of the Federal Rules of Evidence, if a Party (the “Disclosing Party”), for the purpose of resolving a Privilege Dispute, discloses documents in connection with this litigation that the Disclosing Party claims is or includes Protected Information, the disclosure of that Protected Information will not constitute or be deemed a waiver or forfeiture in this case or in any other federal or state action of any claim of privilege or work-product protection that the Disclosing Party would otherwise be entitled to assert with respect to the Protected Information and/or its subject matter. For the provisions of this Order to apply to a disclosure, the Disclosing Party must: (1) inform the Parties that it is disclosing the document(s) pursuant to the Rule 502(d) Stipulation and Order, and (2) identify the relevant documents by Bates Number.

- (2) Nothing herein is intended to require a Party to disclose information pursuant to Rule 502(d) that it contends is subject to privilege or other protection from production for purposes of resolving a discovery dispute.
- (3) Nothing contained herein is intended to or shall serve to limit a Party's right to conduct a review of documents, ESI, or other information (including metadata) for relevance, responsiveness, or segregation of Protected Information before production. Furthermore, nothing contained herein is intended to affect or change any other order entered in this litigation, including the Stipulated Protective Order (ECF No. 125) and ESI Protocol (ECF No. 123), or the Parties' obligations under Federal Rule of Evidence 502(b) regarding inadvertent disclosure.

SO ORDERED.

Dated: _____

Hon. Katherine Polk Failla
United States District Court Judge

By: /s/ Ronald J. Aranoff

Ronald J. Aranoff
Ryan A. Kane
Joshua M. Slocum
WOLLMUTH MAHER & DEUTSCH LLP
500 Fifth Avenue, 12th Floor
New York, New York 10110
Telephone: (212) 382-3300
dwollmuth@wmd-law.com
sthompson@wmd-law.com
raranoff@wmd-law.com
rkane@wmd-law.com
jslocum@wmd-law.com

Co-Lead Class Counsel

By: /s/ Eric J. Stock

Eric J. Stock
Christina Cella Cernak
Esther Lifshitz
GIBSON, DUNN & CRUTCHER LLP 200
Park Avenue
New York, NY 10166
Tel.: (212) 351-2301
Fax: (212) 716-0801
estock@gibsondunn.com
elifshitz@gibsondunn.com

Attorneys for Defendant S&P Global Inc.

By: /s/ David C. Kiernan

David C. Kiernan (*pro hac vice*)
Caroline N. Mitchell (*pro hac vice*)
Kapri Saunders (*pro hac vice*)
JONES DAY
555 California St., 26th Fl.
San Francisco, CA 94104
Tel.: (415) 626-3939
Fax: (415) 875-5700
dkiernan@jonesday.com
cnmitchell@jonesday.com

By: /s/ Leiv Blad

Leiv Blad
Jeffrey Blumenfeld (*pro hac vice*)
Meg Slachetka
COMPETITION LAW PARTNERS PLLC
1101 Pennsylvania Avenue NW Washington,
DC 20004
Telephone: (202) 742-4300
leiv@competitionlawpartners.com
jeff@competitionlawpartners.com
meg@competitionlawpartners.com

Co-Lead Class Counsel

By: /s/ Robert N. Kaplan

Robert N. Kaplan
Gregory K. Arenson
Elana Katcher
KAPLAN FOX & KILSHEIMER LLP 850
Third Ave., 14th Floor
New York, NY 10022
Telephone: (212) 687-1980
rkaplan@kaplanfox.com
garenson@kaplanfox.com
ekatcher@kaplanfox.com

Co-Lead Class Counsel

By: /s/ Jeffrey I. Shinder

Jeffrey I. Shinder
SHINDER CANTOR LERNER LLP
14 Penn Plaza, Suite 1900
New York, NY 10122
Tel.: (646) 960-8601
jeffrey@scl-llp.com

James J. Kovacs (*pro hac vice*)
SHINDER CANTOR LERNER LLP
600 14th Street NW, 5th Floor
Washington, DC 20005
Tel.: (646) 960-8601
james@scl-llp.com

Alexander V. Maugeri
Amanda L. Dollinger
JONES DAY
250 Vesey Street
New York, NY 10281
Tel.: (212) 326-3939
Fax: (212) 755-7306
amaugeri@jonesday.com
adollinger@jonesday.com

*Attorneys for Defendant American Bankers
Association*

W. Stephen Cannon (*pro hac vice*)
Seth D. Greenstein (*pro hac vice*)
CONSTANTINE CANNON LLP
1001 Pennsylvania Ave., NW 1300N
Washington, D.C. 20004
Tel.: (202) 204-3500
Fax: (202) 204-3501
scannon@constantinecannon.com
sgreenstein@constantinecannon.com

Sarah Bayer (*pro hac vice*)
CONSTANTINE CANNON LLP
6 E 43rd Street, 26th Floor
New York, NY 10017
Tel.: 212.350.2700
Fax: 212.350.2701
sbayer@constantinecannon.com

*Attorneys for Defendant FactSet Research
Systems Inc.*